

## **REMARKS**

### **In the Specification**

The Office Action objects to the specification. In response, Applicant has amended the specification to correct the errors noted by the Examiner.

### **In the Drawing**

Applicant has amended the drawing to correct an obvious error and omitted item number. Please replace the drawing with the attached replacement sheet. Missing item number "17" has been added, as described on page 6, line 7 of the specification. The item number "28" position line has been redirected to point to the location according to the specification on page 6, line 4. These changes are shown on the drawing labeled "Annotated Sheet Showing Changes".

### **Sections 102 and 103 Rejections**

The Office Action rejects claims 1 and 2 under 35 U.S.C 102(b) as anticipated by Laibangyang. In response, the Applicant has amended claims 1 and 2 to more clearly describe the present invention and to distinguish the claims from Laibangyang. Claim 1 now describes the first weight as including a compact distribution of a plurality of disconnected particles. In contrast, the wire supports 28A-F of Laibangyang are not a compact plurality of disconnected particles. The supports are distinctly and purposely separated, and according to their purpose of supporting the wire 32, are attached to the shaft, otherwise they would fall out of place and not perform their intended purpose. Also, the material of the supports as described in Laibangyang is not consistent with performing as a weight, since it is a light weight material. Laibangyang therefore does not teach or suggest the weight as now recited in amended claim 1. Applicant

believes amended independent claim 1 now distinguishes over Laibangyang, and that dependent claims 2-9 add further limitations to allowable claim 1.

The Office Action rejects claims 1-8 under 35 U.S.C. 103(a) as unpatentable over Hannon et al. in view of Fisher. Hannon and Fisher both relate to putters. In response, Applicant has further amended claim 1 to specify that the present invention is a driver or iron for developing the swing used for drivers and irons, as opposed to putters. The use and design of a putter is considerably different from that of an iron and driver. Irons and drivers are for the purpose of propelling a golf ball above the ground level. In order to do this, a golfer must learn to swing the club in a large arc which must have a trajectory that accurately intersects the ball. This, as all golfers know, is a severe challenge and requires practice/development. The situation is entirely different with a putter. A golfer does not usually have a problem hitting the ball with a putter because the putter is not moved in a large arc. Also, the weight as described by Hannon and Fisher is for use in a putter that is intended for actual use on a golf course. The added putter weight gives the golfer more control over the amount of impact with the ball.

The weight claimed in claim 1 of the present application as now amended is in a distinctly different device (an iron/driver), for the very different purpose of training, and does not apply to an iron/driver for regular play. In contrast, the weight of an iron or driver to be used in actual play is best concentrated in the head, which achieves the highest speed because it is at the arc extremity and therefore transfers the most momentum to the golf ball. It is generally counterproductive to place weight in a shaft of an iron or driver to be used in actual play. Because of this, it would not be obvious from the references (which describe weight in a putter) to put weight in the shaft of an iron or driver. The weight added to the shaft in claim 1 of the present application is therefore for an entirely different purpose than the weight added to the

putters of Hannon and Fisher, as well as being in a different device. The training club of claim 1 serves a much needed purpose by providing a training tool for helping a golfer improve his or her swing.

In summary, the golf club of amended claim 1 as now claimed is different from that of Hannon and Fisher in that it is not a putter, but an iron/driver used as a training club for developing a golfer's swing, which is a much different structure and for a different purpose than the putters of Hannon and Fisher. Applicant therefore believes that independent claim 1 as now amended distinguishes over Hannon and Fisher, as do the dependent claims.

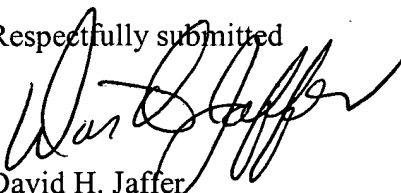
The Office Action rejects claim 9 under 35 U.S.C. 103(a) as being unpatentable over Laibangyang, Hannon and Fisher and further in view of Green, Jr. The club shown by Green is an iron, used for lofting a ball, and the weight is placed in the head, which enhances the momentum transferred to the ball. Green does not describe weights in the shaft, or a training club for developing a swing as described in amended claim 1 of the present application. As discussed above in reference to the "putter" patents of Hannon and Fisher, amended claim 1 as amended now distinguishes over these references. In view of the amendments to claims 1 and 2, on which claim 9 depends, the use of brass as weight described by Green combined with the other references does not teach or suggest the invention as now claimed in claim 9.

### CONCLUSION

Applicant has amended the specification and drawing to correct errors, and has amended the claims to distinguish over the cited references. The references do not teach or suggest the present invention as now claimed. Therefore, Applicant believes the claims are in condition for allowance.

If any further questions should arise prior to a Notice of Allowance, the Examiner is invited to contact the attorney at the number set forth below.

Respectfully submitted



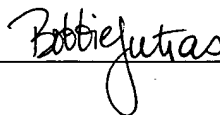
David H. Jaffer  
Reg. No. 32,243  
Customer No. 27498

Date: March 22, 2005

PILLSBURY WINTHROP LLP  
2475 Hanover Street  
Palo Alto, CA 94304-1114  
Tel. No. (650) 233-4510  
Fax No. (650) 233-4500

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 22, 2005, by Bobbie Jutras.



---

ANNOTATED SHEET SHOWING CHANGES

